

I.

Pursuant to the Court's Order dated March 5, 2010 (dkt. 233) the deadline for filing the agreed docket control and agreed discovery order is March 15, 2010. As set forth herein, the parties have been working diligently to meet this date. However, despite the efforts of the parties, the parties are presently unable to meet this date. The parties seek leave from the Court to extend the March 15, 2010 deadline by one week, until March 22, 2010. This additional one week extension will allow the parties to continue to meet and confer in good faith in an effort to reach an agreed docket control and agreed discovery order, or at least to narrow the scope of their dispute.

II.

In an effort to reach an agreed docket control and agreed discovery order, the parties have met and conferred on three occasions (March 5, March 10, and March 12, 2010). The parties presently believe that they are close to reaching an agreement on the docket control and discovery orders, or at least narrowing the scope of their dispute.

III.

This motion is not made for delay, and should not impact any other deadline applicable to this litigation.

IV.

Accordingly, the parties respectfully request that the Court grant this Motion and extend the deadline to file their agreed docket control order and discovery order from March 15, 2010 until March 22, 2010.

Dated: March 15, 2010.

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on March 15, 2010. Local Rule CV-5(a)(3)(A).

/s/ Josh Budwin
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